



महाराष्ट्र शासन राजपत्र

असाधारण भाग पाच-अ

वर्ष ३, अंक ९(५)]

शुक्रवार, मार्च ३१, २०१७/चैत्र १०, शके १९३९

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असाधारण क्रमांक २२

प्राधिकृत प्रकाशन

महाराष्ट्र विधानसभेत व महाराष्ट्र विधानपरिषदेत सादर केलेली विधेयके (इंग्रजी अनुवाद)

MAHARASHTRA LEGISLATURE SECRETARIAT

The following Bill was introduced in the Maharashtra Legislative Council on the 31st March 2017 is published under Rule 113 of the Maharashtra Legislative Council Rules :—

L. C. BILL No. IV OF 2017.

A BILL

To provide for the Development and Administration of the Voluntary Organisations in the State of Maharashtra.

WHEREAS, several public trusts registered under the Maharashtra Public Trusts Act, 1950 are working in Maharashtra and ;

WHEREAS, the extent of good work being carried out by them is increasing and it is the policy of the Central Government and the Government of Maharashtra to give encouragement to such undertakings and ;

WHEREAS, it is necessary to provide by law for the establishment of an Autonomous Corporation for the development and management of such trusts. It is hereby enacted in the Sixty-eighth Year of the Republic of India as follows :—

1. (1) This Act may be called the Maharashtra Voluntary Organisations Development and Management Corporation Act, 2017.

Short title,
extent and
commence-
ment.

(2) It shall extends to the whole of the State of Maharashtra.

(3) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

Definitions

2. (1) “Voluntary Organisations” means the organisations registered under the Societies Registration Act, 1860, Maharashtra Public Trusts Act, 1950 or Company Act, 1956 on ‘no profit’ basis.

(2) “Corporation” means the Voluntary Organisations development and management corporation established under clause 3.

(3) “Government” or “State Government” means the Government of Maharashtra.

(4) “Rules” means rules made by the State Government for carrying out the provisions of this Act.

Establishment of Corporation.

3. The State Government shall, by a notification in the *Official Gazette*, establish a Corporation by name “Maharashtra Voluntary Organisations Development and Management Corporation” for whole State for the purposes of this Act.

Organisation to become members of the Corporation and making their classification according to the objectives.

4. Voluntary organisations can become members of this Corporation by paying nominal subscription. At the time of becoming a member, the organisation will have to explain as to in which class it falls. The organisations shall be classified according to their main objectives.

Constitution of the Corporation.

5. (1) According to the number of members of organisations falling in each class, one representative for each class shall be elected from the organisations having less than 25 members and two representatives for each class shall be elected from the organisations having more than 25 members.

(2) The Secretaries of the Tribal Development Department, Social Justice Department, Water Conservation Department, Public Health Department, Rural Development Department, Education Department, Law and Judiciary Department and the Charity Commissioner shall be the *ex-officio* members of the Corporation.

(3) One member each of the Maharashtra Legislative Assembly and the Maharashtra Legislative Council to be nominated by the Hon. Speaker of the Maharashtra Legislative Assembly and the Hon. Chairman of the Maharashtra Legislative Council shall be a member of the Corporation.

(4) A full time officer appointed by the Government shall work as the Secretary of this Corporation.

(5) The Chairman of the Corporation shall be appointed by the members of the Corporation from amongst its Non-Government representatives.

The tenure of the Executive Body of the Corporation.

6. The tenure of the executive body of the Corporation shall be as prescribed by the State Government.

Functions of the Corporation.

7. The Corporation shall carry out the following functions :—

(1) To assist the State Government to redress the problems in enforcing the law of Registration and Management of Voluntary Organisations.

(2) To assist the Government, while sanctioning the projects pertaining to providing financial assistance of various departments of the Government to the voluntary organisations. However, the Corporation shall not pay any actual grant.

(3) Inspection of the complaints made by the voluntary organisations and Government Officials shall be carried out by the members. However, the Corporation will not intervene in the matters of those disputes regarding the organisations which are conducted in a Court of law and in the Office of the Charity Commissioner.

(4) Every year, the Corporation shall present an annual report regarding working of the voluntary organisations to the Government and it shall be published for the information of the public. This report shall contain a brief information of the cases filed in the office of the Charity Commissioner. Similarly, the names of the organisations having annual turnover of more than rupees ten lakhs shall also be mentioned in this report. If a Government Department gives a grant of more than ten lakhs to any organisation then, the name of the said organisation and the proposed specific work for which the grant was given shall also be included in the said report.

(5) To publish such information and books as shall be useful to the voluntary organisations.

(6) To frame rules for the purpose of enforcing the provisions of this Act.

(7) To enact by-laws and regulations concerning the matters for which no provisions has been made under this Act or regulations made thereunder.

(8) To carry out all such acts and things which are necessary to carry out the purposes of this Act.

8. A meeting of the Corporation shall be held at least once within a period of two months.

Meeting of the Corporation.

9. The Corporation may, with the prior permission of the Government, appoint such officers and employees as may be deemed necessary to carry out its duties and functions effectively.

The officers and employees of the Corporation.

10. (1) The Corporation shall have its own fund which shall be maintained by them. This fund shall include :—

Fund of Corporation and its maintenance.

(a) All the amounts received from the State Government in the form of Grants, Financial assistance, Loans, Advances or otherwise;

(b) All the contributions, expenses and charges received by the Corporation under this Act;

(c) Donations;

(d) Interest accrued on the bank deposits and other profits.

(2) The Corporation can either deposit the aforesaid fund in the current or deposit account of any of the Scheduled Banks mentioned in the Reserve Bank of India Act, 1934 or any other bank recognised by the State Government in this respect or invest the same in the bonds authorised under the Indian Trust Act, 1882 at the discretion of the Corporation.

Power to
make Rules.

11. (1) The State Government may by notification in the *Official Gazette* and subject to the condition of previous publication make rules for carrying out the provisions of this Act.

(2) Every rules made under this Act, shall be laid, as soon as possible after it is made, before the State Legislature while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions and if before the expiry of the session in which it is so laid or the session immediately following, if both the Houses agree for making any modification in the rule or if both Houses agree that the rule should not be made then, the rule shall, from the date of publication of such decision by notification in *Official Gazette*, have effect only in such modified form or be of no effect as the case may be. However, any such modification or annulment shall be without prejudice to the validity of anything previously done or omitted under that rule.

STATEMENT OF OBJECTS AND REASONS.

With a view to bring about a fundamental development of the financially and socially neglected sections in the society and to enable these sections to avail the fruits of development, many organisations in Maharashtra are working for the development of the said people and their work is also remarkable. The Government can take benefit of their experience. There is no separate machinery other than the office of the Charity Commissioner to keep a managerial control over the said voluntary organisations.

It is the policy of the Central Government and the State Government to encourage the work of the voluntary organisations and in order to make the said policy effective, it is necessary to establish a machinery as a link between both of them. For this purpose, it has been proposed to establish an autonomous Corporation on the State level for the development and management of the voluntary organisations.

Hence this Bill.

Vidhan Bhavan :

Mumbai,

Dated the 1st March 2017.

RAMHARI RUPANWAR,

Member-in-charge.

Vidhan Bhavan :

Mumbai,

Dated the 31st March 2017.

DR. ANANT KALSE,

Principal Secretary,

Maharashtra Legislative Council.